

Article - Criminal Procedure

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§10-241.

(a) The Director of the FBI shall:

(1) appoint an FBI Compact officer who shall:

(i) administer this Compact within the Department of Justice and among federal agencies and other agencies and organizations that submit search requests to the FBI pursuant to Section 10-243(c) of this subtitle;

(ii) ensure that Compact provisions and rules, procedures, and standards prescribed by the Council under Section 10-244 of this subtitle are complied with by the Department of Justice and the federal agencies and other agencies and organizations referred to in item (i) of this item; and

(iii) regulate the use of records received by means of the III System from party states when such records are supplied by the FBI directly to other federal agencies;

(2) provide to federal agencies and to state criminal history records repositories, criminal history records maintained in its database for the noncriminal justice purposes described in Section 10-242 of this subtitle including:

(i) information from nonparty states; and

(ii) information from party states that is available from the FBI through the III System, but is not available from the party state through the III System;

(3) provide a telecommunications network and maintain centralized facilities for the exchange of criminal history records for both criminal justice purposes and the noncriminal justice purposes described in subsection (b)(4) of this section, and ensure that the exchange of such records for criminal justice purposes has priority over exchange for noncriminal justice purposes; and

(4) modify or enter into user agreements with nonparty state criminal history records repositories to require them to establish record request procedures conforming to those prescribed in Section 10-243 of this subtitle.

(b) Each party state shall:

- (1) appoint a Compact officer who shall:
 - (i) administer this Compact within that state;
 - (ii) ensure that Compact provisions and rules, procedures, and standards established by the Council under Section 10-244 of this subtitle are complied with in the state; and
 - (iii) regulate the in-state use of records received by means of the III System from the FBI or from other party states;
 - (2) establish and maintain a criminal history records repository, which shall provide:
 - (i) information and records for the National Identification Index and the National Fingerprint File; and
 - (ii) the state's III System-indexed criminal history records for noncriminal justice purposes described in Section 10-242 of this subtitle;
 - (3) participate in the National Fingerprint File; and
 - (4) provide and maintain telecommunications links and related equipment necessary to support the services set forth in this Compact.
- (c) In carrying out their responsibilities under this Compact, the FBI and each party state shall comply with III System rules, procedures, and standards duly established by the Council concerning record dissemination and use, response times, data quality, System security, accuracy, privacy protection, and other aspects of III System operation.
- (d) (1) Use of the III System for noncriminal justice purposes authorized in this Compact shall be managed so as not to diminish the level of services provided in support of criminal justice purposes.
- (2) Administration of Compact provisions shall not reduce the level of service available to authorized noncriminal justice users on the effective date of this Compact.

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